	Application No.	Applicant(s)
Notice of Allowability	09/894,206	KOCH ET AL.
	Examiner	Art Unit	
	Ramsey Refai	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *RCE received September 8, 2005* .

2. ☒ The allowed claim(s) is/are *1-3,5-9,12-16 and 18-21*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

         International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date #1 .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

Ramsey Refai
AU 2152

EXAMINER'S AMENDMENT

1.   Responsive to Request for Continued Examination (RCE) received on September 9,

2005.

Claim 4 was canceled. Claims 21-22 were new. Claims 1-3, 5-16, and 18-22 were

pending further examination.

2.   After Examiner's amendment, claims 1-3, 5-9, 12-16, and 18-21 are now allowed.

3.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Alton Hornsby, III on November 22, 2005.

4.   The application has been amended as follows:

In the claims:

1. (Currently Amended) A Visual Interactive Voice Response (VIVR) system for delivering

information during a VIVR session, comprising:

a network element comprising:

means for receiving a VIVR session identification (Session ID) associated with a

networking device;

means for receiving a directory number associated with a telecommunications

device; ~~and~~

means for determining whether the Session ID associated with the networking

device includes the directory number associated with the telecommunications device; and

a VIVR Server comprising:

means for providing an option to establish a VIVR session, if the Session ID

associated with the networking device includes the directory number associated with the

telecommunications device;

if the option to establish a VIVR session is selected, means for sending voice-based

information to the telecommunications device and for sending visual-based information to

the networking device; ~~and~~

if the option to establish a VIVR session is not selected, means for providing an

option to send the voice-based information to the telecommunications device or to send the

visual-based information to the networking device;

a Voice Extensible Markup Language (VXML) Gateway comprising:

means for converting a text-based message received from the VIVR server to an

audio message;

means for delivering the audio message to the telecommunications device by playing

the audio over a connection between the VXML Gateway and the telecommunications

device; and

the network element further comprising means for routing a call from the

telecommunications device to the VXML Gateway, if the option to establish a VIVR session is

selected.

2. (Previously Presented) The VIVR system of Claim 1, wherein the VIVR Server further comprises means for providing an option to establish a VIVR session in response to a determination that the networking device is connected to the VIVR Server.

3. (Previously Presented) The VIVR system of Claim 1, wherein the VIVR Server further comprises means for providing an option to establish a VIVR session in response to a determination that the networking device is connected to the VIVR Server via a VIVR Server host website.

4. (Previously Canceled)

5. (Previously Presented) The VIVR system of Claim 1, wherein the VIVR Server further comprises means for determining an identity of the networking device by obtaining the Session ID from a session identification database.

6. (Previously Presented) The VIVR system of Claim 1, wherein the networking device and the telecommunications device are the same device.

7. (Original) The VIVR system of Claim 1, wherein the networking device is capable of communicating in accordance with a Transport Control Protocol/Internet Protocol (TCP/IP) protocol.

8. (Previously Presented) The VIVR system of Claim 1, wherein the telecommunications device is capable of communicating in cooperation with an Advanced Intelligent Network, in accordance with a Signaling System 7 (SS7) protocol.

9. (Previously Presented) The VIVR system of Claim 1, wherein the selection of the option to establish a VIVR session is a DTMF key code entry received from the telecommunications device.

10. (Currently Canceled)

11. (Currently Canceled)

12. (Currently Amended) A method for simultaneously delivering voice-based information and visual-based information, the method comprising:

    establishing an Internet connection between a networking device and a server;

    receiving a data packet associated with the networking device;

    establishing a telephonic connection between a telecommunications device and the server;

    receiving a directory number associated with the telecommunications devises device;

    determining whether the data packet associated with the networking device includes the directory number associated with the telecommunications device;

    if the data packet associated with the networking device includes the directory number associated with the telecommunications device, then:

        providing an option to establish a Visual Interactive Voice Response (VIVR) session;

        if the option to establish a VIVR session is selected, then delivering the voice-based information to the telecommunications device over the telephonic connection and delivering the visual-based information to the networking device over the Internet connection;

modifying the delivery of the voice-based information in response to receiving an

instruction over the Internet connection; and

if the option to establish a VIVR session is not selected, then providing an option to

deliver the voice-based information to the telecommunications device or to deliver the

visual-based information to the networking device;

converting a text-based message received from the VIVR server to an audio message at a

Voice Extensible Markup Language (VXML) Gateway;

 delivering the audio message to the telecommunications device by playing the audio over a

connection between the VXML Gateway and the telecommunications device; and

routing a call from the telecommunications device to the VXML Gateway, if the option to

establish a VIVR session is selected.

13. (Previously Presented) The method of Claim 12, further comprising modifying the delivery of

the voice-based information in response to receiving an instruction over the telephonic connection.

14. (Previously Presented) The method of Claim 12, further comprising modifying the delivery of

the visual-based information in response to receiving an instruction over the Internet connection.

15. (Previously Presented) The method of Claim 12, further comprising modifying the delivery of

the visual-based information in response to receiving an instruction over the telephonic connection.

16. (Currently Amended) A Visual Interactive Voice Response (VIVR) system for delivering

information during a VIVR session, comprising:

a network element comprising:

means for receiving a VIVR session identification (Session ID) associated with a

networking device;

means for receiving a directory number associated with a telecommunications

device; and

means for determining whether the Session ID associated with the networking

device includes the directory number associated with the telecommunications device;

a VIVR Server comprising:

means for providing an option to establish a VIVR session, if the Session ID

associated with the networking device includes the directory number associated with the

telecommunications device;

if the option to establish a VIVR session is selected, means for delivering voice-based

information to the telecommunications device and for delivering visual-based information

to the networking device;

means for receiving an instruction from the telecommunications device; and

if the option to establish a VIVR session is not selected, means for providing an

option to deliver the voice-based information to the telecommunications device or to deliver

the visual-based information to the networking device; and

a Voice Extensible Markup Language (VXML) Gateway comprising:

means for converting the voice-based information to an audio message that can be

played back to the telecommunications device; and

means for converting the instruction to a format that can be processed by the VIVR

Server; and

the network element further comprising means for routing a call from the

telecommunications device to the VXML Gateway, if the option to establish a VIVR session

is selected.

17. (Previously Canceled)

18. (Previously Presented) The VIVR system of Claim 16, wherein the Session ID comprises the

directory number associated with the telecommunications device and an Internet Protocol address

associated with the networking device.

19. (Previously Presented) The VIVR system of Claim 18, wherein the Session ID further comprises

a directory number associated with the networking device.

20. (Previously Presented) The VIVR system of Claim 16, wherein the delivery of the voice-based

information and the delivery of the visual-based information are synchronized by transmitting an

automated notification from the networking device to the VIVR Server when the visual-based

information is delivered to the networking device, and when the VIVR Server receives the

automated notification from the network device, the delivering the voice-based information from

the VIVR Server to the telecommunications device.

21. (Previously Added) The VIVR system of Claim 1, wherein the VIVR Server further comprises

means for storing the VIVR session.

22. (Currently Canceled)

5.   The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach neither singly or in combination determining whether

the Session ID associated with the networking device includes the directory number associated with the

telecommunications device; a VIVR server providing an option to establish a VIVR session if the Session

ID associated with the networking device includes the directory number associated with the

telecommunications device; if the option to establish a VIVR session is selected, means for sending

voice-based information to the telecommunications device and for sending visual-based information to

the networking device; if the option to establish a VIVR session is not selected, means for providing an

option to send the voice-based information to the telecommunications device or to send the visual-based

information to the networking device and a Voice Extensible Markup Language (VXML) Gateway

comprising means for converting a text-based message received from the VIVR server to an audio

message and to deliver the audio message to the telecommunications device by playing the audio over a

connection between the VXML Gateway and the telecommunications device; and the network element

further comprising means for routing a call from the telecommunications device to the VXML Gateway,

if the option to establish a VIVR session is selected.

Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The

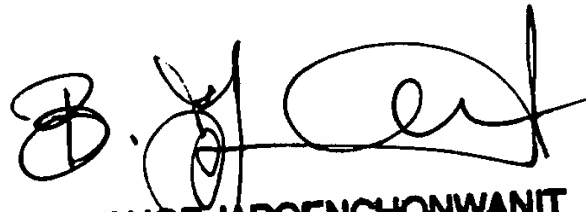examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramsey Refai
Examiner
Art Unit 2152

RR
November 23, 2005

BUNJOB JAROENCHONWANIT
PRIMARY EXAMINER